

Magistrate Judge

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) NO. MJ15-129
Plaintiff,)
vs.) DEFENDANT'S NOTICE OF
RAYMOND LEE FRYBERG, JR,) SUBMISSION OF LETTERS FOR
Defendant.) DETENTION HEARING

Comes now, the Defendant, Raymond Lee Fryberg, Jr., through his counsel, Assistant Federal Public Defender Kyana Givens, and submits the attached letters for the Court's consideration at the Detention Hearing scheduled in this matter for April 2, 2015, at 11:30 a.m.

DATED this 1st day of April, 2015.

Respectfully submitted,

s/ Kyana Givens
Kyana Givens
Attorney for Raymond Fryberg, Jr.

CERTIFICATE OF SERVICE

I certify that on the date below, I filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of filing to all registered parties.

DATED this 1st day of April, 2015.

s/Kathleen Gilkey
Kathleen Gilkey, Paralegal

United States District Judge
700 Stewart Street
Seattle, WA.

04/01/2015

Your Honor,

My name is Alan Soler. I recently retired after working 29 years as a federal law enforcement officer. I worked as a Senior Inspector for the United States Marshals Service.

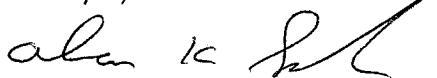
I am writing in reference to Ray Fryberg who is appearing before your court due to a bail hearing.

I have known Ray for 10 years. I met Ray and his family through youth wrestling. Ray's two sons wrestled for teams that I coached. I spent a great deal of time with Ray and his family at practice as well as at many weekend tournaments, both local and national events throughout the year. I got to know Ray and his family very well.

I have complete confidence that Ray is in no way a danger to himself or others and is not a flight risk. I hold Ray in the highest regard. Ray has long-term community ties, many family members in the area, works full time and owns a home in his community. Ray is a good family man. I have faith in Ray's integrity and reliability.

I would ask that you release Ray from custody on his Own Recognizance. I believe if released Ray would follow all Court instructions and appear for trial.

Thank you,



Alan K. Soler
Lake Stevens WA.

Fr. Patrick J. Twohy, S.J.

Chaplain for Native Americans, Seattle Archdiocese

[REDACTED] Seattle, WA 98122

March 31, 2015

To Whom It May Concern:

I write on behalf of Raymond Fryberg, Jr. I have known Raymond for the past twenty years. I have known him to be a kind, generous, respectful man. He is a good husband and father, deeply caring and hard working for his family. He has suffered much from the recent tragedy that devastated his family. What he and his family have suffered these past months I would hope that no family would have to endure.

I have been with Raymond and his extended family many times over the years at Tulalip tribal events. He always brought the strength of his voice and prayers to these events and looked out for the good of everyone. Raymond knows his Coast Salish culture well and tries to live it to the full. He has had excellent teachers for this noble way of life.

Because of my relationship with him, I am certain that Raymond is not a flight risk and that in no way is he a danger to any member of his beloved community at Tulalip.

Fr. Patrick J. Twohy, S.J.



Ray Fryberg Jr.
Rick Iversen
to:
Janet_ Stanton@fd.org
04/01/2015 11:54 AM

From: Rick Iversen <i></i> >
To: "Janet Stanton@fd.org" <Janet Stanton@fd.org>

Please respond to Rick Iversen <com>

To whom it may concern:

It has come to my attention that Ray Fryberg Jr. is in need of some support.

Ray was a student and athlete of mine at Marysville-Pilchuck High School. I know him and his family very well. The Fryberg's are a prominent part of our Native American community. They are a cultural link to the greater Marysville population.

The recent tragedy has given all of us who know the Frybergs cause to grieve and empathize for their circumstance. Our neighbors are confused, shocked, and at a loss to truly express their concern.

Now this. Ray Jr. is being held responsible for procuring the weapon. I can't speak to that specifically, but I can speak for Ray's heart and for the devotion that he has shown his family.

This man has devoted thousands of hours to the youth of Marysville and Tulalip. He believes in the cultural values of his heritage, and in the family values that the Frybergs have always displayed.

This is a plea from an old teacher and coach. Get to know this kind hearted soul. Recognize the respect that he has earned in our town. Evaluate him for more than this error in judgement.

Sincerely,
Rick Iversen
Retired educator and coach
Marysville-Pilchuck High School



R. Fryberg Jr Letter of Character Reference

Brad Naweli

to:

Kyana_givens

03/31/2015 11:21 PM

Cc:

Janet_stanton

Hide Details

From: Brad Naweli <

n>

To: Kyana_givens@fd.org

Cc: Janet_stanton@fd.org

March 31, 2015

Kyana Givens
Assistant Federal Public Defender
Federal Public Defender
1601 Fifth Avenue, Suite 700
Seattle, WA 98101
Kyana_givens@fd.org

SUBJECT: R. FRYBERG JR LETTER OF CHARACTER REFERENCE

Aloha Ms. Givens,

I am writing in reference to the character of Raymond Fryberg Jr. I have known Ray for five years, and in this time he has been a positive role model to the young men in our community. I have personally witnessed his devotion to his ohana (family), culture, and community. I strongly believe he is NOT a flight risk or a danger to my community.

I understand this is a polarizing case that has torn my community. My daughter is a freshman at Marysville Pilchuck and my son is a seventh grader at Totem Middle. October 24, 2014 was the worst day of my life. I will never forget the fear of my daughter's voice when she called me to help her. We are still dealing with the aftermath of that event, but my daughter does not hold Ray responsible nor pass judgment. I do not hold Ray responsible.

I have nothing but pure ALOHA in my heart for Raymond. He has spent numerous hours mentoring and encouraging my son to become a better wrestler. I also had the pleasure to observe Ray volunteer his time to the Totem wrestling team; he inspired and motivated those young men. They are better stewards and walk with confidence.

Please consider my letter of character reference for Raymond Fryberg Jr. I am confident that Raymond is not a flight risk or a danger to my community.

Mahalo,

Brad Naweli
Head Coach | Tomahawk Wrestling Club
Mobile (319) 333-1111
Email brad.naweli@tomahawkwrestling.com

To whom it may concern:

RE: Ray Fryberg Jr.

My name is Tony Del Pozo and I am employed as a Social Worker in the Child Family Welfare Service Indian Child Welfare Unit I am also a high school and middle school wrestling coach employed by Marysville School District for the past 17 years.

I have had the pleasure of knowing Mr. Fryberg Jr. for the past eight years. He has volunteered his time to share his "drumming" talents playing for our office in celebration of Native American month. I have seen Mr. Fryberg Jr. give countless hours as a volunteer coach in our youth wrestling program with kids of all ages. Mr. Fryberg Jr. always displays a calm manner and instills a positive attitude with the kids he coaches.

Mr. Fryberg is a well respected member of the community and has deep ties with both family and the community and **I would never consider him to be a flight risk nor a danger to the community.** Mr. Fryberg has been a great supporter of community, tribal and school activities and is visible at many events. In addition Mr. Fryberg Jr. attends numerous Tribal Ceremonies volunteering his time to drum at these events in support of his Tribal family.

Sincerely,

Tony Del Pozo

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March 31, 2015

To Whom It May Concern:

This is a letter to express why Ray Fryberg, Jr. is not a flight risk in light of the serious charges he faces. My name is Gyasi Ross and I am an attorney, admitted to the Washington State Bar since 2005 and a former public defender with The Defender Association. I have also known Ray and the Fryberg family for many years and am familiar with Ray's position within the Tulalip Tribal Community.

My time as a defense attorney compels me to respect the bail process and acknowledge that there are times where a release simply is not feasible or justified. Where the defendant is accused of a violent crime and is a risk to repeat that violent behavior or alternatively where there is a substantial risk of flight—in those situations there are certainly considerations that the prosecutor and judge should take seriously. Here, Mr. Fryberg is not accused of any violent crime. The actions that came as a result of Mr. Fryberg's alleged crime were violent, but Mr. Fryberg himself is not accused of any violence. Moreover, this is not allegation where there is a substantial likelihood of repeating even if it were true. Also, Mr. Fryberg has lived in his home tribal community for all of his life—it is the only place he has known as home, where his entire family live. He is not going anyplace.

Which brings me to an *extralegal* reason that Mr. Fryberg is simply not a flight risk—it's a cultural reason, one that many non-Natives might overlook because they oftentimes lack the ancestral tie to land and place that many Natives have. Not only does Mr. Fryberg entire family live on the Tulalip Reservation and it's the only home he's ever known, but his family has lived in the same homelands, now called the Tulalip Reservation, for thousands of years and they are attached to the land by spiritual belief, food (he is a fisherman) and family. Those are powerful bonds that ensure, with complete assurance, that he isn't going anyplace.

If there any questions, I would be happy to answer them. But this is simply not one of those cases where a release poses any future risk to Mr. Fryberg or the community.

Thank you.



Gyasi Ross  
Attorney  
Washington State Bar #36430

April 1 2015

Kyana Givens  
Assistant Federal Public Defender  
Federal Public Defender  
1601 Fifth Avenue  
Seattle, WA 98101

Assistant Federal Public Defender Givens, I am writing this letter in support of Raymond Fryberg. I am a retired school Superintendent, principal, teacher and coach for over thirty years and have known Ray over the last 25 years as a student, athlete, parent, Tribal leader, coach and active member of the Marysville and Tulalip community. I had Ray in class as a junior high student, a wrestler in both the junior high and in high school and have watched Ray grow from a young man into a loving father, coach, advocate for Tribal as well as community youth through his coaching, drumming, canoeing, fund raisers and countless other community and tribal events.

Over the past thirty years I have known Rays father, mother and other relatives of Ray Jr. and have been warmly welcomed by them and the Tulalip Tribe as a whole.

I am sure you are aware that Ray and his extended Tulalip family has been and will be in this area beyond what we can even imagine. Thousands of years ago and thousands of years into the future.

Raymond Fryberg Jr. is not a flight risk. This is his and his family's home then, now and into the future.

Please feel free to contact me if there is anything I can say or do to support Ray and his family.

Larry Johnson

Cc: Janet Stanton



April 1, 2015

To Whom It May Concern:

I have known Ray Fryberg for the past 3 years. I have been so impressed with the man Ray is that he, several partners and myself had formed a business together. I have worked as an arts advocate in Denver, Seattle and Washington D.C. I have lobbied in Olympia, before the Seattle City Council and have served at the pleasure of 3 Seattle Mayors. I have dined with Ray, his wife and daughter and have shared stories and bonded with Ray and his family on my many trips to the Tulalip Indian Reservation.

My observation and my experience tell me that Ray is rooted in his community. He is a leader and teacher to his family and friends and to the many young boys and girls in talks to and mentors. Ray cares about what happens to tribal members, he cares about the history and legacy of his people. He cares and is rooted in family, he is a man of honor.

As difficult as this time is for Ray, his sense of responsibility and his ties to the Tulalip nation will keep him firmly rooted at home with the people he knows and loves. Ray is not a flight risk. Ray is not a threat to the very people he lives and breathes for. His family is a proud and prominent Tulalip family and Ray is a leader within the family and within the Tribe. He is the protector, the provider, he accepts the challenge and the responsibility bestowed upon him with humility and a sense of dignity. In the face of adversity, Ray will remain firmly rooted in his community and face the challenges that are in front of him head on. Ray understands the importance of this moment and although I am sure he is at a loss, he will call on the spirit of his forefathers to gain understanding we will all need to move forward to better times.

Sincerely,

Ricardo Rose Frazer  
Principal & Director  
Zaki•Rose |  
c.



**Raymond Fryberg Jr**

Marlin Fryberg to: kyana\_givens@fd.org  
Cc: "Janet\_Stanton@fd.org"

04/01/2015 09:57 AM

To whom it may Concern,

I am writing this letter to inform the Court that in my professional opinion and as a respected Leader, Raymond Fryberg Jr is not a flight risk to any Court or his people. Raymond has and will continue live with the pain of what has taken place at the Marysville Pilchuck High School. After the horrific shooting I was asked to conduct the funeral services for Raymond and his Wife and all throughout that tragic week they both told me to tell the people how they do not condone what their son Jaylin did that terrible day.

At this point in a persons life im sure Raymond could have fled the reservation or the State to not have to be looked at by the hurting angry community members but he did not. Raymond stayed in the same home went back to the same job to help feed his other children.

It's also my opinion that Raymond is not a threat or harm to anyone in our community. He spends his free time mentoring young kids in the Marysville School District wrestling team as well as football. I'm my several years patrolling our reservation as a police officer I was never once called to respond to Raymond's residence nor was I ever called in the community to deal with him or his family. Matter of fact during the funeral services of his son the individual who filed this protection order brought the there biological son to Raymond demonstrating to me and the hundreds of people attending that she did not feel threatened of Raymond herself or for there Son.

Respectfully,

Marlin Fryberg Jr.

April 1, 2015

STATEMENT OF SUPPORT FOR RAY FRYBERG JR.

Ray Fryberg Jr. is a unique and profound cultural leader committed to serving the health and future of his community. He is committed to his ancestral home and lifelong circle of relationships. I beg the court to take the observations I offer into account in making the determination that he is not a flight risk and no further hardship should be imposed on his family during any further proceedings of the court.

I write as an individual who has been blessed by long term success in our community as an art and cultural entrepreneur. It has been my good fortune to contribute to the life and economy of our region through nine years as Co-President and General Manager of Sub Pop Records, co-founder of Up Records, Publisher of the award-winning Clear Cut Press, and present day Founding Partner of Cabin Games LLC. Over the decades of work in my profession I have had to make judgements of many diverse personalities and rely on these judgements as the basis of profitable long-term collaborations and creative partnerships.

I have worked with Ray Fryberg Jr. and his family for several years in connection with their performance of traditional music and their observance of deeply held cultural values. It is clear to me that Ray's dedication to his family and community's traditional practices is the pillar that gives structure and purpose to his life and has guided him through the grief, loss and confusion of recent months. His roles as a father, a son, and community connection between his ancestors and the future of his land and its people should satisfy the court that he is not a flight risk.

If I may be of further assistance to the court please do not hesitate to contact me at the address below.

Sincerely,

Richard Jensen

Seattle, WA 98144



Fwd: Ray Fryberg  
Wendy Fryberg  
to:  
Janet Stanton, Kyana Givens  
04/01/2015 02:02 PM  
Hide Details

From: "David Bean" <  
Date: Apr 1, 2015 1:47 PM  
Subject: Ray Fryberg  
To: <...>  
Cc:

To whom it may concern,

My name is David Bean, I have known Ray and his family for many years. During that time I have witnessed his active participation in his community, both culturally and in organized youth sports. He is deeply rooted in his community. He was born on the Tulalip reservation and has spent his entire life there. He is also an active family man. Based on these reasons and so many more, I do not believe he is a flight risk.

Thank you,

David Z Bean  
Puyallup Tribal Council Member

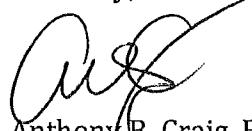
**Anthony B. Craig, Ed.D.**  
Tulalip, WA 98271

To Whom It May Concern:

This letter is written in support of Ray Fryberg, Jr. I have known Mr. Fryberg and his family for the past 15 years. As a member of the Tulalip community and as a public school educator there, I have observed Mr. Fryberg's ties to the community to be strong; from his vast extended family to members of the broader tribal membership, Mr. Fryberg's network in Tulalip is solid and significant. Further, his work as a cultural leader and as a relied upon family member makes his day-to-day existence necessary for his own well being and for the well being of others.

For these reasons, it is my opinion that Mr. Fryberg is not a flight-risk. His personal wellness, his family responsibilities, and cultural/community work compel him to remain in the Tulalip community.

Sincerely,



Anthony B. Craig, Ed.D.  
Tulalip, WA